

### **AMENDMENTS TO THE DRAWINGS**

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4). FIG. 1 has been amended to reflect new item number "61" in place of one of the duplicated numbers, "60." Additionally, the specification has been amended in this Response to account for this change.

Attachment: Replacement Sheets

### **REMARKS**

Claims 1-3, 5, 7-9, 11, 14-18 and 20 are now pending in the application. Claim 19 has been cancelled by this amendment. Claims 1, 5, 8, 15 and 20 have been amended. Since all amended claims contain the same or similar structural components as the originally filed claims, the Applicants contend that the specification and drawings, as originally filed, support all amended and currently pending claims. Furthermore, the scope of the amended claims is such that the Applicants believe that a new or different prior art search will not be necessary. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 1-3, 5, 7-9, 11, 14 and 19 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Applicants respectfully traverse this rejection. Claim 1 has been amended to alter "are a top cover of a storage compartment," which the Examiner rejected as being directed to new matter. Claim 8 has been amended to cure "adapted to form a top boundary of said storage compartment," which the Examiner rejected as being directed to new matter. Claim 19 has been cancelled. Finally, Claim 8, which in pertinent part recites, "an intermediate portion of the duct directing air in a third direction to said downstream portion," has been rejected as reciting new matter. In response to this rejection, the Applicants direct the Examiner to paragraph [0031] of the specification, which recites, in pertinent part, "the intermediate portion 100 directs air toward the front of the vehicle to

a downstream portion 110 (FIGS. 4 and 5)." Because of this recitation in paragraph [0031], the Applicants believe this element of Claim 8 not to be new matter.

Claims 1-3, 5, 7-9, 11, 14 and 19 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Applicants respectfully traverse this rejection. The Examiner states, "There is no disclosure that would inhibit/impede airflow from said storage compartment. See paragraph [0030]." The Applicants respectfully refer the Examiner to paragraph [0030], which states in pertinent part, "As will be described further, an intermediate portion 100 of the passenger foot duct 70 is arranged to cover a portion of an upper opening 102 in the storage compartment 74 into a blower fan 108 disposed above the storage compartment 74. As a result, contents in the storage compartment 74 are less likely to be ingested into the blower fan 108." Applicants contend that intermediate portion 100 covers a portion of upper opening 102. Figures 2-5 disclose such an arrangement. Furthermore, because intermediate portion 100 is situated as such, air cannot flow unrestricted from the upper opening 102, and as a result, the airflow is subject to drag caused by the intermediate portion 100.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claims 15-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over either Yamada or Kondo et al. This rejection is respectfully traversed. In addition to the claim amendments of Claims 15 and 20, the Applicants respectfully direct the Examiner to paragraphs [0030] and [0033], which highlight the advantage and problem solved by the duct path that traverses from the HVAC case to the foot well. Paragraph

[0030] recites in pertinent part, "an intermediate portion 100 of the passenger foot duct 70 is arranged to cover a portion of an upper opening 102 in the storage compartment 74 to impede air flowing from the storage compartment 74 into a blower fan 108 disposed above the storage compartment 74. As a result, contents in the storage compartment 74 are less likely to be ingested into the blower fan 108." Paragraph [0033] recites in pertinent part, "At the intermediate portion 100 and extending between the first and second passage 124 and 126 is a planar portion or flange 130. The structure of the flange 130 and the first and second passage 124 and 126 cooperate to form an upper boundary 132 (FIG. 8) to inhibit air flow from the storage container 74 and into the blower fan 108 (FIG. 3)." This intermediate portion 100 and flange 130 act to inhibit airflow so that items such as tissue paper are not drawn from the storage compartment 74 and into the blower fan 108.

#### **ALLOWABLE SUBJECT MATTER**

The Applicants thank the Examiner for notation of allowable subject matter. Applicants believe Claims 1-3, 5, 7-9, 11, 14-18 and 20 to now be in condition for allowance based upon the claim amendments and remarks provided herein.

#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office

Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: April 8, 2005

By: 

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